

REMARKS

1. Claim Amendments

Applicants have amended claims 1, 4, 6, 8 and 14-15 to better claim the invention. Accordingly, claims 1-15 are pending in the present patent application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2. Claim Rejections – 35 U.S.C. § 103

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,349,224 issued to Lim. Before addressing this rejection in detail, it should be noted that the Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. *MPEP 2142*. To establish *prima facie* case of obviousness, certain criteria must be met. *First*, the prior art reference or references when combined must teach or suggest all the claim limitations. *Second*, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. With the above requirements in mind, Applicants respectfully traverse this rejection as it applies to each independent claim per discussion below.

Regarding independent claim 1, Applicants respectfully submits that Lim fails to teach or suggest at least one element of claim 1. For example, Lim fails to teach or suggest “*determining if an initial communication from a first wireless communication device operating in a wireless communication system comprises a request to initiate an asynchronous data communication*” (hereinafter the “determining element”) as specified in claim 1. If such determination indicates that the initial communication comprises a request to initiate an asynchronous data communication with a second wireless communication device, the invention according to claim 1 would route “*said synchronous data communication to said second wireless communication device without the use of a modem*” as long as the first and second wireless communication devices are operating within the same wireless communication system.

Turning to Lim, Applicants have thoroughly reviewed it and respectfully submit, again, that Lim fails to teach or suggest the determining element of claim 1. This is further supported by the Examiner's failure to cite any section of Lim for disclosing such determining element. *See Office Action, pages 3-4.*

Accordingly, claim 1 should be non-obvious and patentably distinguishable over Lim.

Regarding claims 2-3, they depend from independent claim 1, which is believed to be patentable, and thus they should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03.*

Regarding independent claim 4, it comprises at least one element that is similar to at least one element of claim 1, which is believed to be patentable. Accordingly, claim 4 should be non-obvious and patentably distinguishable over the cited prior art reference for reasons similar to those discussed above regarding claim 1.

Regarding claim 5, it depends from independent claim 4, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03.*

Regarding independent claim 6, it comprises at least one element that is similar to at least one element of claim 1, which is believed to be patentable. Accordingly, claim 6 should be non-obvious and patentably distinguishable over the cited prior art reference for reasons similar to those discussed above regarding claim 1.

Regarding claim 7, it depends from independent claim 6, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03.*

Regarding independent claim 8, it comprises at least one element that is similar to at least one element of claim 1, which is believed to be patentable. Accordingly, claim 8 should be non-obvious and patentably distinguishable over the cited prior art reference for reasons similar to those discussed above regarding claim 1.

Regarding claim 9, it depends from independent claim 8, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03.*

Regarding claim 10, it depends from independent claim 1, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03*.

Regarding claim 11, it depends from independent claim 4, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03*.

Regarding claim 12, it depends from independent claim 6, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03*.

Regarding claim 13, it depends from independent claim 8, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03*.

Regarding independent claim 14, it comprises at least one element that is similar to at least one element of claim 1, which is believed to be patentable. Accordingly, claim 14 should be non-obvious and patentably distinguishable over the cited prior art reference for reasons similar to those discussed above regarding claim 1.

Regarding claim 15, it depends from independent claim 14, which is believed to be patentable, and thus it should also be non-obvious and patentably distinguishable over the cited prior art reference. *MPEP 2143.03*.

CONCLUSION

Claims 1-15 are presently standing in this patent application. In view of the foregoing remarks, each and every point raised in the Office Action mailed on October 30, 2006 has been addressed on the basis of the above remarks. Applicants believe all of the claims currently pending in this patent application to be in a condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested. However, should the Examiner believe that direct contact with Applicants' attorney would advance the prosecution of the application, the Examiner is invited to telephone the undersigned at the number given below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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